IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 833 of 2005

Between:

P. Srinivas, S/o. P. Ramulu,
R/o. D.No. 12-1-615, Asifnagar, Hyderabad.

..... PETITIONER

AND

1 The Registering Authority, (Regional Transport

Officer, Hyderabad, West Zone, Mehedipatnam, Hyderabad.
2 The Motor Vehicles Inspector, Mahaboobnagar.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the seizure and continued detention of petitioners 7 seator auto bearing Regd. No.AP 13V 3077 seized under Vehicle Check Report No.115642 dt. 28.12.2004 by the 2nd respondent i.e., the Motor Vehicles Inspector, Mahaboobnagar, as illegal, unjust, consequently direct the respondents to forthwith release the petitioners vehicle 7 seator auto bearing Regd. No.AP 13 V 3077 to the petitioner, and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances.

Counsel for the Petitioner:MR.RAJANIKANTH JWALA

Counsel for the Respondents: GP FOR TRANSPORT

The Court at the admission stage made the following :

O R D E R ;

The vehicle of the petitioner was seized by Check Report No. 115642, dated 28.12.2004 for violation of certain conditions of the Motor Vehicles Act.

Heard the learned counsel for the petitioner and the learned Government Pleader for Transport.

When the petitioner violated the conditions of any provisions of the Motor Vehicles Act, particularly with reference to Section 207 of the Motor Vehicles Act, they are required to be gone into by the competent authority. There is no point in keeping the vehicle idle and as submitted the condition of the vehicle is deteriorating day by day as the same is kept in open space, exposed to sun and rain.

Hence, the vehicle bearing Registration No.AP-13 V 3077 of the petitioner shall be returned to the petitioner subject to the following conditions:

i. That, the petitioner shall not alienate or transfer the vehicle,

ii. That, the petitioner shall produce the said vehicle as and when required by the Authority; and

iii. That, the petitioner shall pay the tax due, if any, as on today.

With the above observations, the Writ Petition is disposed of. No costs.

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K.C. BHANU, J

Dated:31.01.2005

Ccm

Note: Wire the operative portion of the order

at party's cost.

B/O

CCM

To

1 The Registering Authority, (Regional Transport

Officer, Hyderabad, West Zone, Mehedipatnam, Hyderabad.
2 The Motor Vehicles Inspector, Mahaboobnagar.

3 Two 2CCs to GP for Transport, High Court of Andhra

Pradesh, Hyderabad (OUT).

4 Two CD copies.